



PATENT
Docket No. 278012001420

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Grace Yu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Carlos F. BARBAS, III et al.

Serial No.: 09/765,555

Filing Date: January 19, 2001

For: METHODS AND COMPOSITIONS TO
MODULATE EXPRESSION IN
PLANTS

Examiner: M. Ibrahim

Group Art Unit: 1638

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825 AND §§ 1.52(e) AND 1.96(c)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned hereby states that the contents of the computer readable version in CD-R format (labeled "CRF") of the Sequence Listing and the paper copy (pages 1-25) of the Sequence Listing, submitted in accordance with 37 C.F.R. §§ 1.821-1.825, § 1.52(e) and § 1.96(c), respectively, are the same. The submission includes no new matter.

Please note that Applicants have enclosed a compact disc labeled "CRF" and a paper copy of the Sequence Listing (pages 1-25). Applicants request consideration and entry of the

Sequence Listing paper copy and computer readable copy. Pursuant to 37 C.F.R. 1.77, please enter the paper copy of the Sequence Listing after the Abstract.

Listed below are the particulars of the compact disc containing the Sequence Listing:

1. Machine Format: IBM-PC
2. Operating System Compatibility: PC-DOS/MS-DOS
3. List of Files: Sequence Listing
4. Size in bytes: 61,440 bytes
5. Date of creation: October 14, 2004.

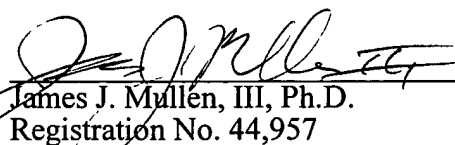
I hereby state that I have reviewed the paper copy of the Sequence Listing contained on pages 1-25 of said Sequence Listing, as required by 37 CFR 1.821(c), and have reviewed the computer readable form of the Sequence Listing, as required by 37 CFR 1.821(e), and that the content of the paper and computer readable copy for the above-referenced patent application are the same as required by 37 CFR 1.821(f).

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due to our **Deposit account no. 03-1952** referencing 278012001420. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 10, 2004

By:


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